

ORDINANCE No. 734

AN ORDINANCE AMENDING ORDINANCE No. 713 OF THE CITY  
REQUIRING THAT ALL PRIVATE CLUBS CLOSE AT 2:00 A.M.  
PRESCRIBING PENALTIES FOR VIOLATION  
DECLARING AN EMERGENCY

WHEREAS, the Arkansas On-Premises Consumption Act provides at A.C.A. § 3-9-205 that nothing in said act shall be construed as limiting the power of local governmental bodies regarding operating hours, and

WHEREAS, the Arkansas Beverage Control Board has permanently revoked the permit of the only establishment in the city authorized to be open between the hours of 2:00 a.m. and 7:00 a.m.:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF MONTICELLO, ARKANSAS, as follows:

Section 1. That Ordinance No. 713 shall be amended to add the following paragraph, as follows:

"Section 1. It shall be unlawful for any private club, as defined in Section 4 of this ordinance, to remain open for occupation of the premises by patrons of the private club between the hours of 2:00 a.m. and 10:00 a.m. on any day. All intoxicating beverages shall be removed from tables in the private club and all patrons shall leave the club at 2:00 a.m. Employees of the private club may be permitted one hour to clean the premises. All persons must leave the premises and no one shall be permitted in the private club after 3:00 a.m."

Section 2. The sections of Ordinance No. 713 formerly identified and designated as "Sections 1, 2, 3, 4, 5 and 6" respectively shall hereafter be designated as Sections 2, 3, 4, 5, 6, and 7 respectively.

Section 3. The City Council hereby determines that the serving and consumption of alcoholic beverages in private clubs during the early morning hours increases the likelihood of disturbances with the potential of violence and motor vehicle accidents; that prohibiting the operation of private clubs during the designated hours is necessary for the public health, safety and welfare; and that the immediate passage of this ordinance is

necessary to serve the public good; therefore an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after the date of its passage.

ORDAINED this 20 day of May, 2004

  
Cindy Fataoumi  
City Clerk-Treasurer

Approved on this 20 day of May, 2004.

By   
David Anderson, Mayor